

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART IAS MOTION 3EFM

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STUART PIVAR,	INDEX NO.	<u>158020/2019</u>
Plaintiff,	MOTION DATE	<u>N/A</u>
- V -	MOTION SEQ. NO.	<u>003</u>
SOTHEBY'S, OTTO NAUMANN,		
Defendants.	DECISION + ORDER ON MOTION	

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HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 003) 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93

were read on this motion to DISMISS AND CROSS-MOTION FOR LEAVE TO AMEND.

Upon the foregoing documents and for the reasons stated on the record during a hearing on December 10, 2020 (transcript to be uploaded by Defendant's counsel upon receipt) it is hereby:

ORDERED that Defendants' Motion to Dismiss is **granted** and the Amended Complaint is hereby dismissed; it is further

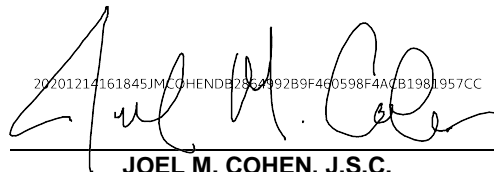
ORDERED that Plaintiff's Cross-Motion for Leave to File a Second Amended Complaint is **denied**; it is further

ORDERED that Defendants' request for an award of attorneys' fees is **denied**; and it is further

ORDERED that the Clerk is directed to enter judgment in favor of Defendants.

This constitutes the decision and order of the Court.

12/14/2020
DATE


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JOEL M. COHEN, J.S.C.

CHECK ONE:

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CASE DISPOSED

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GRANTED

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DENIED

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SETTLE ORDER

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INCLUDES TRANSFER/REASSIGN

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NON-FINAL DISPOSITION

☐

GRANTED IN PART

☐

OTHER

☐

SUBMIT ORDER

☐

FIDUCIARY APPOINTMENT

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REFERENCE

APPLICATION:

CHECK IF APPROPRIATE: